

EXHIBIT A

Accepted on Behalf
of the Regents Only

**SUMMONS
(CITACION JUDICIAL)**

**NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):**

Regents of the University of California, a public entity and
Does 1-100, inclusive

**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**
Aria Razfar

SUM-100

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

EMERGED
ALAMEDA COUNTY

JUL 11 2016

CLERK OF THE SUPERIOR COURT
By D. OLIVER, Deputy

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form. If you want the court to hear your case, there may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): Alameda County Superior Court
1225 Fallon Street
Oakland, CA 94612

CASE NUMBER:
(Número del Caso):

RG-16822828

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Sherif Fathy, Esq. 9431 Haven Avenue Suite 223 Rancho Cucamonga, CA 91730

DATE: 07/11/2016
(Fecha)

JUL 11 2016

Clerk, by
(Secretario)

D. OLIVER

Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):

3. ☒ on behalf of (specify):

REGENTS OF THE UNIVERSITY OF
CALIFORNIA, a public entity

- under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)

- ☒ other (specify): Public entity

4. ☐ by personal delivery on (date):

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT:**(AVISO AL DEMANDADO):**

Regents of the University of California, a public entity and
DOES 1-100, INCLUSIVE

YOU ARE BEING SUED BY PLAINTIFF:**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

Aria Razfar

SUM-100

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

ALAMEDA COUNTY
JUL 11 2016

CLERK OF SUPERIOR COURT
By D. OLIVER Deputy

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

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1225 Fallon Street
Oakland, CA 94612

CASE NUMBER:
(Número del Caso):

K616822828

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Sherif Fathy, Esq. 9431 Haven Avenue Suite 223 Rancho Cucamonga, CA 91730

DATE: 07/11/2016

(Fecha)

JUL 11 2016

Clerk, by

Chad Fink

(Secretario)

D. OLIVER

Deputy

(Adjunto)

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3. ☐ on behalf of (specify):
under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other (specify):
4. ☐ by personal delivery on (date):

SUM-100

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT: (AVISO AL DEMANDADO):

Regents of the University of California

YOU ARE BEING SUED BY PLAINTIFF: (LO ESTÁ DEMANDANDO EL DEMANDANTE):

Aria Razfar

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Oakland, CA 94612

CASE NUMBER:
(Número del Caso):

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Sherif Fathy, Esq. 9431 Haven Avenue Suite 223 Rancho Cucamonga, CA 91730

DATE: 07/11/2016
(Fecha)

Clerk, by _____, Deputy
(Secretario) (Adjunto)

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☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other (specify):
4. ☐ by personal delivery on (date):

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Sherif Fathy, Esq. SBN# 242937 Law Offices of Sherif Fathy 9431 Haven Avenue Suite 223 Rancho Cucamonga, CA 91730 TELEPHONE NO. 909-912-1936 FAX NO.: 909-912-1937 ATTORNEY FOR (Name): Aria Razfar		FOR COURT USE ONLY ALAMEDA COUNTY JUL 11 2016 CLERK OF SUPERIOR COURT
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Alameda STREET ADDRESS: 1225 Fallon Street MAILING ADDRESS: Same CITY AND ZIP CODE: Oakland 94612 BRANCH NAME: Rene Davidson		
CASE NAME: Razfar vs. Regents of the University of California		
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)	<input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	CASE NUMBER 1616822828 JUDGE: DEPT:
Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)		

Items 1-6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input checked="" type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandata (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☒ punitive
4. Number of causes of action (specify): 4
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 07/11/2016

Sherif Fathy

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

FAX FILE

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Sherif Fathy, Esq. SBN# 242937 Law Offices of Sherif Fathy 9431 Haven Avenue Suite 223 Rancho Cucamonga, CA 91730 TELEPHONE NO.: 909-912-1936 FAX NO.: 909-912-1937 ATTORNEY FOR (Name): Aria Razfar		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Alameda STREET ADDRESS: 1225 Fallon Street MAILING ADDRESS: Same CITY AND ZIP CODE: Oakland 94612 BRANCH NAME: Rene Davidson		
CASE NAME: Razfar vs. Regents of the University of California		
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)	<input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	
Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)		CASE NUMBER: JUDGE: DEPT:

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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |

3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☒ punitive

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Date: 07/11/2016

Sherif Fathy

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

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Page 1 of 2

F. ADDENDUM TO CIVIL CASE COVER SHEET

Unified Rules of the Superior Court of California, County of Alameda

Short Title:

Case Number:

RAZIAN vs. AGENS OF UNIVERSITY OF CAL.

CIVIL CASE COVER SHEET ADDENDUM

THIS FORM IS REQUIRED IN ALL NEW UNLIMITED CIVIL CASE FILINGS IN THE
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

[☒] Oakland, Rene C. Davidson Alameda County Courthouse (446) [☐] Hayward Hall of Justice (447)
[☐] Pleasanton, Gale-Schenone Hall of Justice (448)

Civil Case Cover Sheet Category	Civil Case Cover Sheet Case Type	Alameda County Case Type (check only one)
Auto Tort	Auto tort (22)	[<input type="checkbox"/>] 34 Auto tort (G) Is this an uninsured motorist case? [<input type="checkbox"/>] yes [<input type="checkbox"/>] no
Other PI /PD / WD Tort	Asbestos (04) Product liability (24) Medical malpractice (45) Other PI/PD/WD tort (23)	[<input type="checkbox"/>] 75 Asbestos (D) [<input type="checkbox"/>] 89 Product liability (not asbestos or toxic tort/environmental) (G) [<input type="checkbox"/>] 97 Medical malpractice (G) [<input type="checkbox"/>] 33 Other PI/PD/WD tort (G)
Non - PI /PD / WD Tort	Bus tort / unfair bus. practice (07) <u>Civil rights (08)</u> Defamation (13) Fraud (16) Intellectual property (19) Professional negligence (25) Other non-PI/PD/WD tort (35)	[<input type="checkbox"/>] 79 Bus tort / unfair bus. practice (G) <input checked="" type="checkbox"/> 80 Civil rights (G) [<input type="checkbox"/>] 84 Defamation (G) [<input type="checkbox"/>] 24 Fraud (G) [<input type="checkbox"/>] 87 Intellectual property (G) [<input type="checkbox"/>] 59 Professional negligence - non-medical (G) [<input type="checkbox"/>] 03 Other non-PI/PD/WD tort (G)
Employment	Wrongful termination (36) Other employment (15)	[<input type="checkbox"/>] 38 Wrongful termination (G) [<input type="checkbox"/>] 85 Other employment (G) [<input type="checkbox"/>] 53 Labor comm award confirmation [<input type="checkbox"/>] 54 Notice of appeal - L.C.A.
Contract	Breach contract / Wmnty (06) Collections (09) Insurance coverage (18) Other contract (37)	[<input type="checkbox"/>] 04 Breach contract / Wmnty (G) [<input type="checkbox"/>] 81 Collections (G) [<input type="checkbox"/>] 86 Ins. coverage - non-complex (G) [<input type="checkbox"/>] 98 Other contract (G)
Real Property	Eminent domain / Inv Cdm (14) Wrongful eviction (33) Other real property (26)	[<input type="checkbox"/>] 18 Eminent domain / Inv Cdm (G) [<input type="checkbox"/>] 17 Wrongful eviction (G) [<input type="checkbox"/>] 36 Other real property (G)
Unlawful Detainer	Commercial (31) Residential (32) Drugs (38)	[<input type="checkbox"/>] 94 Unlawful Detainer - commercial [<input type="checkbox"/>] 47 Unlawful Detainer - residential [<input type="checkbox"/>] 21 Unlawful detainer - drugs Is the deft. in possession of the property? [<input type="checkbox"/>] Yes [<input type="checkbox"/>] No
Judicial Review	Asset forfeiture (05) Petition re: arbitration award (11) Writ of Mandate (02) Other judicial review (39)	[<input type="checkbox"/>] 41 Asset forfeiture [<input type="checkbox"/>] 62 Pet. re: arbitration award [<input type="checkbox"/>] 49 Writ of mandate Is this a CEQA action (Publ.Res.Code section 21000 et seq) [<input type="checkbox"/>] Yes [<input type="checkbox"/>] No [<input type="checkbox"/>] 64 Other judicial review
Provisionally Complex	Antitrust / Trade regulation (03) Construction defect (10) Claims involving mass tort (40) Securities litigation (28) Toxic tort / Environmental (30) Ins covrg from cmplx case type (41)	[<input type="checkbox"/>] 77 Antitrust / Trade regulation [<input type="checkbox"/>] 82 Construction defect [<input type="checkbox"/>] 78 Claims involving mass tort [<input type="checkbox"/>] 91 Securities litigation [<input type="checkbox"/>] 93 Toxic tort / Environmental [<input type="checkbox"/>] 95 Ins covrg from complex case type
Enforcement of Judgment	Enforcement of judgment (20)	[<input type="checkbox"/>] 19 Enforcement of judgment [<input type="checkbox"/>] 08 Confession of judgment
Misc Complaint	RICO (27) Partnership / Corp. governance (21) Other complaint (42)	[<input type="checkbox"/>] 90 RICO (G) [<input type="checkbox"/>] 88 Partnership / Corp. governance (G) [<input type="checkbox"/>] 68 All other complaints (G)
Misc. Civil Petition	Other petition (43)	[<input type="checkbox"/>] 06 Change of name [<input type="checkbox"/>] 69 Other petition

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 Aria Razfar

FILED
 ALAMEDA COUNTY

JUL 11 2016

CLERK OF THE SUPERIOR COURT
 By: D. OLIVER, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF ALAMEDA – OAKLAND DIVISION

ARIA RAZFAR,

Plaintiff,

vs.

REGENTS OF THE UNIVERSITY OF
 CALIFORNIA, a public entity and DOES 1 –
 100, inclusive,

Defendants.

Case No.:

RB-16822828

COMPLAINT FOR DAMAGES:

1) RACE /NATIONAL ORIGIN/ANCESTRY
 DISCRIMINATION IN VIOLATION OF
 FEHA (GOVERNMENT CODE SECTION
 12940(a));

2) HARASSMENT IN VIOLATION OF
 FEHA (GOVERNMENT CODE SECTION
 12940(j));

3) FAILURE TO TAKE ALL REASONABLE
 STEPS TO PREVENT DISCRIMINATION
 AND HARASSMENT IN VIOLATION OF
 FEHA (GOVERNMENT CODE SECTION
 12940(k))

4) UNLAWFUL DISCRIMINATION BASED
 ON RACE OR NATIONAL ORIGIN IN
 VIOLATION OF TITLE VII OF CIVIL
 RIGHTS ACT OF 1964 (42 U.S.C. § 2000e-16
 et seq. as amended.

Jury Trial Demanded

Plaintiff ARIA RAZFAR complains against defendants, and each of them, demands a
 trial by jury of all issues, and for causes of action alleges:

COMPLAINT FOR DAMAGES

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Attorneys for Plaintiff
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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA – OAKLAND DIVISION

ARIA RAZFAR,

Plaintiff,

vs.

REGENTS OF THE UNIVERSITY OF
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) RIGHTS ACT OF 1964 (42 U.S.C. § 2000e-16
et seq. as amended.

Jury Trial Demanded

Plaintiff ARIA RAZFAR complains against defendants, and each of them, demands a
trial by jury of all issues, and for causes of action alleges:

FACTS COMMON TO MORE THAN ONE CAUSE OF ACTION

1. Plaintiff is a 44 year-old Iranian-American male who is and at all relevant times was residing in the State of Illinois.

2. Plaintiff was and is currently employed the University of Illinois at Chicago as an Associate Professor in the College of Education.

3. Plaintiff holds a PhD in Education from the University of California at Los Angeles, which he earned in the year 2003.

4. Plaintiff is informed and believes and on that basis alleges that defendant REGENTS OF THE UNIVERSITY OF CALIFORNIA is a public entity governing various State Universities throughout the State of California, including the University of California at Berkeley, in Alameda County, among other counties, and is organized and existing under the laws of the State of California, and that its principal place of business is and at all relevant times was in Alameda County, California, and that it employed more than 50 persons and was an employer as defined in the California Fair Employment and Housing Act ("FEHA"), and at all relevant times herein was the prospective employer of plaintiff.

5. The true names and capacities of defendants named as Doe 1 – 100, inclusive, are presently unknown to plaintiff. Plaintiff will amend this complaint, setting forth the true names and capacities of these fictitious defendants when they are ascertained. Plaintiff is informed and believes and on that basis alleges that each of the fictitious defendants has participated in the acts alleged in this complaint to have been done by the named defendants.

6. Plaintiff is informed and believes and on that basis alleges that, at all relevant times, each of defendants whether named or fictitious was the agent or employee of each of the other defendants, and in doing the things alleged to have been done in the complaint, acted within the scope of such agency or employment or ratified the acts of the other.

7. On or around December 9, 2011, Plaintiff applied to be a candidate for the position of Associate Professor of Education with emphasis on English Language Learners in the Graduate School of Education (GSE), University of California at Berkeley.

8. On or around March 1-2 of 2012, the Plaintiff visited the campus of University of California at Berkeley to engage in candidacy interviews with two senior faculty members.

9. On March 1, 2012, the Plaintiff had a meeting with a Professor for a dinner and office

1 meeting. The professor asked the Plaintiff about his nationality, ethnicity, ancestry, religious
2 affiliation, political views unrelated to his expertise or the position he was seeking and his
3 marital status. The professor continued to inquire as to his spouse's nationality, ethnicity,
4 ancestry, education, and political views regarding the nation and government of Iran. The
5 professor made negative comments relating to her relative's marriage to an Iranian man and
6 asked the Plaintiff a range of provocative political questions that were not appropriate for such a
7 setting.

8 10. On or around March 2, 2012, the Plaintiff had a meeting with another Professor who
9 also asked him deeply personal questions unrelated to his professional qualifications for the
10 faculty position's call. These questions made the Plaintiff feel uncomfortable and distressed
11 throughout the process. The general tone of the questions were related to the Plaintiff's Iranian
12 ancestry, religious affiliation, the political situation in Iran, the status of my marriage, personal
13 information about his wife, requests for pictures of wife and family, the details of his last trip to
14 Iran, and his citizenship status.

15 11. On or around March 13, 2012, Dr. Aria Razfar was notified that he was the preferred
16 candidate of the search committee for the position.

17 12. On or around April 25, 2012, the Plaintiff received a provisional letter of offer
18 approved by the Vice Provost with Dean Judith Warren-Little stating, "A final (and official)
19 letter of offer must wait upon completion of the tenure review process."
20

21 13. On May 11, 2012, Dr. Razfar was informed that the Graduate School of Education
22 had forwarded their recommendation for the appointment to the Vice Provost of Academic
23 Affairs and Faculty Welfare.
24

25 14. On or around May 31, 2012, Dean Warren-Little informed the Plaintiff that a
26 "Minority report by a member of the search committee was written opposing his hire" and, of
27 course, it accompanied his case to the campus level review committees, including the Ad hoc
28

1 and Budget Committees responsible for academic personnel decisions. Dr. Razfar was explicitly
2 informed by Dean Warren-Little that the report was unrelated to his qualifications for tenure.

3 15. On or around September 20, 2013, Dr. Razfar was asked by Dean Warren-Little to
4 submit a copy of a book he was still in the process of completing. Dr. Razfar submitted a copy of
5 the unfinished sample chapters for the book that was being published for the purpose of teacher
6 education.

7 16. After 5 months under review in the UC Berkeley campus committees and numerous
8 assurances that the delays were normal, on October 24, 2012, he learned that the Vice Provost's
9 office had tentatively denied the Plaintiff's appointment for the Associate Professor position.
10 This information news was meet with shock and astonishment by the University of California at
11 Berkeley, Graduate School of Education Faculty members that the Plaintiff is acquainted with.
12 They had largely expressed to him that he was highly qualified for the position.

13 17. On March 4, 2013, after 4 months of an attempted appeal process by the faculty, Dr.
14 Razfar received the official letter from the Graduate School of Education's Dean Judith Warren-
15 Little, stating their denial of the Graduate of School of Education's recommendation of his
16 appointment as an Associate Professor of Education with indefinite tenure. While the letter did
17 not stipulate a reason for this denial, an immediate conversations with Dean Warren-Little and
18 search committee chair P. David Pearson pointed to the role of "a minority report" opposing his
19 hire as well as faculty members associated with the "disciplines."

20 18. Since he was informed that he was the preferred candidate by the Vice Provost and by
21 various faculty members for the position, Dr. Razfar rejected one formal offer of employment
22 from the University of Illinois, Urbana-Champaign and lost an opportunity at UC San Diego in
23 reliance on the provisional offer from the Vice Provost and said statements.

24 19. On December 27, 2013, plaintiff filed with the Equal Employment Opportunity
25 Commission ("EEOC") a complaint charging defendants with discrimination in violation of the
26 California Fair Employment and Housing Act ("FEHA") as well as Title VII of the 1964 Civil
27 Rights Act on the part of the Defendant in denying his candidacy for the position in question.
28 The EEOC informed him that the charge was duly filed with the Employment and Housing
("DFEH") department as well.

20. On or around January 18, 2016, a representative of the EEOC informed counsel for

1 the Plaintiff of the results of the EEOC's investigation. The EEOC informed the counsel that the
 2 decision to oppose the hire of the Plaintiff was based on a minority of search committee
 3 members who comprised nine out of a total of fifty committee members, with five abstaining.
 4 The minority of the committee cited the research methodology of the incomplete "book" that Dr.
 5 Razfar submitted as a reason for their decision to oppose his hiring.

6 21. The reason cited for the committee's decision to not hire Dr. Razfar was
 7 unsatisfactory as it appeared to merely mask the actual reasons that were exposed by the
 8 improper questions that the two professors in question had presented to Dr. Razfar during his
 9 interview process and due to the fact that the manuscript presented to the committee was
 10 incomplete and therefore not an adequate representation of Dr. Razfar's research capability.

11 22. On or around April 6, 2016, the EEOC issued to plaintiff a right-to-sue letter.
 12

13 **FIRST CAUSE OF ACTION**

14 **RACE/NATIONAL ORIGIN/ANCESTRY DISCRIMINATION** 15 **IN VIOLATION OF FEHA (GOVERNMENT CODE SECTION 12940(a))**

16 As a first, separate and distinct cause of action, plaintiff complains against defendant
 17 Regents of the University of California ("Regents"), and each of them, and for a cause of action
 18 alleges:

19 23. Plaintiff incorporates each allegation set forth in paragraphs 1 through 22.

20 24. Plaintiff is an Iranian-American, a member of a protected class.

21 25. Defendant Regents is an employer in the STATE of California, as defined in the
 22 California Fair Employment and Housing Act, California Government Code §§12900 et seq.,
 23 ("FEHA"). The professors and other committee members who interviewed the Plaintiff were
 24 employees of Regents at the time that the Plaintiff was a candidate for the position he applied for
 25 and thus were acting as agents of defendant Regents at the time they unlawfully discriminated
 26 against plaintiff, and were therefore also employers as defined by FEHA.

27 26. Defendants discriminated against plaintiff on the basis of his race by harassing
 28 plaintiff on the basis of his race, his national origin and ancestry, in violation of FEHA.

27 27. The harassment to which plaintiff was subjected by defendants was severe and
 28 pervasive, was an ongoing and continuous course of conduct, and created a hostile environment.

Furthermore, defendants took tangible employment action by failing to hire the Plaintiff due to his not acquiescing to their line of questioning during the meeting process.

27. Plaintiff was harmed and the tangible employment action was a substantial factor in causing plaintiff's harm so that plaintiff filed a charge of discrimination against defendants with the EEOC and the California Department of Fair Employment and Housing ("DFEH") within one year of the INCIDENT. The EEOC has issued a right-to-sue letter and the Plaintiff has exhausted his administrative remedies.

28 Plaintiff suffered damages proximately caused by these defendants' discrimination as stated in the section below entitled "DAMAGES", which is incorporated here to the extent pertinent as if set forth here in full.

SECOND CAUSE OF ACTION
HARASSMENT IN VIOLATION OF FEHA
(GOVERNMENT CODE SECTION 12940(j))

As a second, separate and distinct cause of action, plaintiff complains against all defendants, and each of them, and for a cause of action alleges:

29. Plaintiff incorporates each allegation set forth in paragraphs 1 through 28.

30. At all times mentioned, plaintiff was a male person fully competent to perform the duties of the position for which he applied to.

31. Defendants harassed plaintiff on the basis of his national origin, all in violation of Government Code Section 12940(j).

32. This harassment to which plaintiff was subjected by defendants was severe or pervasive, was an ongoing and continuous course of conduct, and created a hostile environment.

33. Plaintiff considered the hiring process to be hostile or abusive and the defendants knew or should have known of the conduct and failed to take immediate and appropriate corrective actions, and plaintiff was harmed.

34. Plaintiff suffered damages proximately caused by the defendants' wrongful acts as stated in the section below entitled "DAMAGES", which is incorporated here to the extent pertinent as if set forth here in full.

THIRD CAUSE OF ACTION

**FAILURE TO TAKE STEPS TO PREVENT DISCRIMINATION AND
HARASSMENT FROM OCCURRING IN VIOLATION OF FEHA
(GOVERNMENT CODE §12940(k))**

As a third, separate and distinct cause of action, plaintiff complains against defendant Regents and each of them, and for a cause of action alleges:

35. Plaintiff incorporates each allegation set forth in paragraphs 1 through 35.

36. Defendant Regents is an employer in the STATE of California, as defined in FEHA.

37. Defendant failed to take all reasonable steps to prevent discrimination and harassment against plaintiff because of his race, national origin and ancestry, and his complaints about the discrimination and harassment in violation of FEHA.

38. Plaintiff filed a charge against defendants with the EEOC and DFEH for failure to take all reasonable steps to prevent discrimination and harassment against plaintiff because of his race and national origin and ancestry within one year of such failure. The EEOC issued plaintiff right-to-sue letter. Plaintiff has exhausted his administrative remedies.

39. Plaintiff suffered damages proximately caused by these defendants' wrongful acts as stated in the section below entitled "DAMAGES", which is incorporated here to the extent pertinent as if set forth here in full.

FOURTH CAUSE OF ACTION

**UNLAWFUL DISCRIMINATION BASED ON RACE OR
NATIONAL ORIGIN IN VIOLATION OF TITLE VII OF CIVIL RIGHTS ACT OF 1964**

40. As a fourth, separate and distinct cause of action, plaintiff complains against defendant Regents and each of them, and for a cause of action alleges:

41. Plaintiff incorporates each allegation set forth in paragraphs 1 through 40.

42. Defendant conduct as herein alleged violated Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2(a)(1), which makes unlawful discrimination against employees on the basis of national origin.

43. Defendant discriminated against Plaintiff in violation of Title VII when it harassed him with inappropriate questions regarding his national origin and religious belief and

subsequently failed to hire him, when he was highly qualified for the position, due to his national origin.

44. As a proximate result of Defendant's discriminatory actions, Plaintiff has suffered losses in compensation, earning capacity, humiliation, mental anguish, and emotional distress. As a result of those actions and consequent harms, Plaintiff has suffered such damages in an amount to be proved at trial.

45. Defendant's unlawful actions were intentional, willful, malicious and/or done with reckless disregard for Plaintiff's.

46. Plaintiff requests relief as described in the Prayer for Relief

PRAYER

Wherefore, plaintiff prays for judgment against defendants, and each of them, as follows:

1. For a money judgment for loss of employability, mental pain and anguish and emotional distress, according to proof;
2. For general, presumed and special damages based upon damage to plaintiff and plaintiff's business and personal reputation;
3. For a money judgment representing compensatory damages, together with interest on said amounts, on any economic injury to plaintiff, according to proof;
4. For an award of punitive damages against any individual defendant(s);
5. For costs of suit, including attorney fees under any applicable statutory or contractual basis;
6. For prejudgment interest under Civil Code § 3288 and Code of Civil Procedure § 998, and any other applicable statutory, or contractual basis;
7. For prejudgment interest according to statute;
8. For costs of suit according to statute; and
9. For any other relief that is just and proper.

Dated: July 11, 2016

LAW OFFICES OF SHERIF FATHY

BY: 

SHERIF FATHY
Attorney for Plaintiff,
Aria Razfar

JURY TRIAL DEMANDED

Plaintiff demands trial by jury of all issues, except for attorney's fees.

Dated: July 11, 2016

LAW OFFICES OF SHERIF FATHY

By: 

SHERIF FATHY,
Attorney for Plaintiff,
Aria Razfar